



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.                                   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/506,675  | 09/17/2004  | Jeannot Hironimus    | 258372US6PCT        | 7095             |
| 22850 7590 07/14/2006                             |             |                      |                     |                  |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. |             |                      |                     |                  |
| 1940 DUKE STREET                                  |             |                      |                     |                  |
| ALEXANDRIA, VA 22314                              |             |                      |                     |                  |
| EXAMINER  |             |                      |                     |                  |
| KOVACS, ARPAD F                                   |             |                      |                     |                  |
| ART UNIT  |             | PAPER NUMBER         |                     |                  |
| 3671  |             |                      |                     |                  |

DATE MAILED: 07/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/506,675

Applicant(s)

HIRONIMUS ET AL.

Examiner

Árpád Fábíán Kovács

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 29-66 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 53-57 is/are allowed.
- 6) ☒ Claim(s) 29-52 and 58-66 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: See Continuation Sheet.

Continuation of Attachment(s) 6). Other: 5/1/2006 related applications considered.

DETAILED ACTION

*Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 29-52, 58 and new cl. 59-66 are rejected under 35 U.S.C. 102(e) as being anticipated by Franet et al (part of record, '634).

Franet discloses:

cl. 29, 34, 44-45, 47-49, 58:

an agricultural machine including:

a carrying vehicle (12);

plural working units (10);

the agricultural machine comprising:

two front work units / cutting device & conveying device (col. 1, ln 44, teaches mowing heads; or in col. 3, ln 60-67, teaches may have multiple work units, such mowing head followed by conditioning arrangement, ref 22, conveying device / screw conveyor the like, such as belt conveyor, col. 4, ln 14) & outside the front work units

two lateral side work units / cutting device & screw conveyor or the like, such as belt conveyor, mentioned earlier (fig 1);

the units can be moved into transport vertically / work positions horizontally (col. 6, ln 40-48);

two rear wheels slideably connected (fig 1);

cl. 30, new cl. 59-66:

the side units are arranged backwards or offset from the front units & disposed outside of a projection as claimed (see fig 1);

cl. 31-32:

an agricultural machine including:

    a carrying vehicle (12);

    plural working units (10);

the agricultural machine comprising:

two front work units (col. 1, ln 44, teaches mowing heads; or in col. 3, ln 60-67,

teaches may have multiple work units, such mowing head followed by conditioning arrangement, ref 22) & on either side of the work are of the front work units two lateral work units (fig 1);

the units can be moved into transport / work positions (col. 6, ln 40-48);

the side units are arranged backwards from the front units (see fig 1);

cl. 33:

at least one of the work units is pivoting (about pin 126; or bearing eye 160);

cl. 35-36, 40-41:

a hitching structure capable to be height adjustable (60; 118);

cl. 37-39, 51:

at least one of the work units (mowing heads, conveying device), such as the lateral, translationally in a sliding manner can be assembled (col. 6, ln 23-39, describes how the mowing units can be exchanged, that involves translational sliding), the carrying arm is pivotable (about pin 126; bearing eye 160);

cl. 42-43:

a rear hitching structure (134);

cl. 46:

a control device (col. 10, ln 17, positioning system);

cl. 50:

Art Unit: 3671

an engine (col. 5, ln 49-67; col. 6, ln 1-21) capable of driving the working units  
(mowing heads, conveyor belt) in two directions.

*Allowable Subject Matter*

3. Claims 53-54 are allowed.



*Response to Arguments*

4. Applicant's arguments filed 5/15/2006 have been fully considered but they are not persuasive.

Applicant's argument of "optimal balance and comparatively wider work area" is not reflected in the limitations recited in claims 29, 31, 32, 49.

It is noted that the applicant did not argue rejection of claim 58. Therefore, the rejection over Franet established to be anticipated. Consequently, it is a further proof that claims 29, 31, 32, 49 are anticipated, for containing the same subject matter/limitations. Claim 58 further adds limitations that are not present in either claim 29 or 31 or 32 or 49, i.e. the conveying device, upper & lower conveyor belts as recited in the claim.

*Conclusion*

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

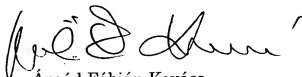
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Árpád Fábíán Kovács whose telephone number is 571 272 6990. The examiner can normally be reached on Mo-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on 571 272 6998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3671

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Árpád Fábíán Kovács  
Primary Examiner  
Art Unit 3671

ÁFK